

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 7099**

**BILL NUMBER:** HB 1406

**NOTE PREPARED:** Mar 28, 2011

**BILL AMENDED:** Feb 10, 2011

**SUBJECT:** Jurisdiction of university and college police.

**FIRST AUTHOR:** Rep. Truitt

**FIRST SPONSOR:** Sen. Head

**BILL STATUS:** CR Adopted - 2<sup>nd</sup> House

**FUNDS AFFECTED:** X GENERAL  
X DEDICATED  
FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** (Amended) This bill provides that a police officer employed by a college or university may exercise the officer's police power in any part of Indiana if: (1) the college or university adopts a resolution specifically describing the territorial jurisdiction of a police officer employed by the college or university; and (2) the board of trustees sends notice to the Superintendent of State Police and the Sheriff (or in the case of a consolidated city, the Chief of Police) of the county in which the institution is primarily located.

The bill requires a police officer employed by a college or university to meet the certain training requirements in order to exercise the officer's police powers. It requires a police officer employed by a college or university that exercises the officer's police powers outside of the county in which the institution is primarily located to notify the Sheriff (or in a consolidated city, the Chief of Police) as soon as practicable.

**Effective Date:** July 1, 2011.

**Explanation of State Expenditures:**

**Explanation of State Revenues:** If additional court cases occur and fines are collected, revenue to both the Common School Fund and the state General Fund would increase.

If the case is filed in a circuit, superior, or county court, 70% of the \$120 criminal costs fee that is assessed and collected when a guilty verdict is entered would be deposited in the state General Fund. If the case is filed in a city or town court, 55% of the fee would be deposited in the state General Fund. In addition, some or all of the document storage fee (\$2), automated record keeping fee (\$7), judicial salaries fee (\$18), public

defense administration fee (\$3), court administration fee (\$5), judicial insurance adjustment fee (\$1), and the DNA sample processing fee (\$1) are deposited into the state General Fund.

**Explanation of Local Expenditures:** If more defendants are detained in county jails prior to their court hearings, local expenditures for jail operations may increase. The average cost per day is approximately \$44.

**Explanation of Local Revenues:** If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from the following sources: The county general fund would receive 27% of the \$120 criminal costs fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of the criminal costs fee. In addition, several additional fees may be collected at the discretion of the judge and depending upon the particular type of criminal case.

**State Agencies Affected:** State Educational Institutions, Department of Correction.

**Local Agencies Affected:** Trial courts, local law enforcement agencies.

**Information Sources:** Indiana Sheriffs' Association, Department of Correction.

**Fiscal Analyst:** Chuck Mayfield, 317-232-4825.